

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HJR 83

March 15, 2015

SUMMARY OF BILL: Proposes an amendment to the Constitution of Tennessee declaring that if the Governor transmits to the Secretary of State, the Speaker of the Senate, and the Speaker of the House of Representatives, a written declaration that the Governor is unable to perform the powers and duties of the office, then the powers and duties of the office of Governor shall be exercised by the Speaker of the Senate; and, if that office is unoccupied, then the Speaker of the House of Representatives.

The powers and duties of the office shall return to the Governor when the Governor transmits to the same officials, a written declaration that the Governor is able to perform the powers and duties of the office.

States that if a Speaker is exercising the powers and duties of the office of Governor, then the Speaker shall not be required to resign the Speaker's position or to resign as a member of the General Assembly; provided, that it is reasonably expected that the Governor will be able to resume the powers and duties of the office of Governor. If a Speaker is exercising the powers and duties of the office of Governor, then such Speaker shall not preside as Speaker or vote as a member of the General Assembly during the time the speaker is exercising the powers and duties of the office of Governor.

States that if a majority of the Speaker of the House of Representatives, the Speaker of the Senate, the Secretary of State, the State Treasurer, and the Comptroller of the Treasury certify that the Governor is unable to perform the powers and duties of the office, then the Speaker of the Senate shall immediately assume the powers and duties of the office as acting Governor. When the Governor transmits to the Speaker of the Senate and the Speaker of the House of Representatives a written declaration that no inability exists, the Governor shall resume the powers and duties of the office.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$9,100/Department of State/One-Time

Assumption:

- Based on information provided by the Department of State, and based on recent publications, the cost of publishing all required legal notices would be approximately \$9,100. This publication would occur in the spring of 2016. As a result, the one-time increase in state expenditures for FY15-16 is estimated to be \$9,100.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly distinguishable.

Jeffrey L. Spalding, Executive Director

/dwl